



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable Roland Boyd
County Attorney
Collin County
McKinney, Texas

Dear Sir:

Opinion No. O-2629

Re: Can the commissioners' court
legally make a contribution to
the Collin County Free Fair Asso-
ciation to help defray expenses
of livestock and horticultural
exhibits in connection with said
fair?

Your recent request for an opinion of this Depart-
ment on the above stated question has been received.

Article 2372d, Vernon's Annotated Civil Statutes,
reads in part as follows:

"Section 1. All counties in the State act-
ing by and through their respective Commissioners'
Courts may provide for annual exhibits of horticul-
tural and agricultural products, livestock and min-
eral products, and such other products as are of
interest to the community. In connection therewith,
such counties may also establish and maintain museums,
including the erection of the necessary buildings
and other improvements, in their own counties or in
any other county or city in the United States, where
fairs or expositions are being held.

"Section 2. The Commissioners' Courts of the
respective counties or the Commissioners' Courts of

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several counties may cooperate with each other and participate with local interests in providing for the erection of such buildings and other improvements as may be necessary to accomplish the purpose mentioned in Section 1, of this Act and for the assembling, erecting and maintaining of such horticultural and agricultural, livestock and mineral exhibits, and the expenses incident thereto.

"Section 3. All incorporated cities, water improvement districts may cooperate with the Commissioners' Courts of such counties for the purposes stated in Section 1, and Section 2 of this Act and appropriate monies in providing for such exhibits, establishing and maintaining such museums, and in the erection of such buildings and improvements, and the assembling, erecting and maintaining of such horticultural, agricultural, livestock and mineral exhibits."

Sections 51 and 52, Article III, of the State Constitution read in part as follows:

"Section 51. The Legislature shall have no power to make any grant or authorize the making of any grant of public moneys to any individual, association of individuals, municipal or other corporations whatsoever. . . ."

"Section 52. The Legislature shall have no power to authorize any county, city or town or other political corporation or subdivision of the State to lend its credit or to grant public money or thing of value (value) in aid of, or to any individual, association or corporation whatsoever. . . ."

The provisions of the Constitution above quoted specifically prohibit the commissioners' court from making a donation or contribution to any association such as the Collin County Free Fair Association. It is to be noted that Section 1 of Article 2372d, supra, provides that the various commissioners' courts may provide for an annual exhibit of horticultural and agricultural products, live stock and mineral products and such other products as are of interest to the community. However, this

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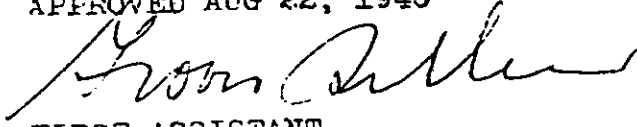
statute does not authorize the commissioners' court to make a donation or contribution to any individual, association, or corporation whatsoever. We are of the opinion that a contribution or donation by the commissioners' court as above mentioned to the Collin County Free Fair Association is prohibited by the provisions of the Constitution heretofore mentioned. Therefore, your question is respectfully answered in the negative.

Trusting that the foregoing fully answers your inquiry, we are

Yours very truly

APPROVED AUG 22, 1940

ATTORNEY GENERAL OF TEXAS



FIRST ASSISTANT
ATTORNEY GENERAL



By

Ardell Williams
Assistant

AW:BBB

